

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHELLE YUREK,

Plaintiff,

v.

Case No. 2:17-cv-13524

District Judge Denise Page Hood

Magistrate Judge Anthony P. Patti

PARKWAY CHRYSLER-JEEP,
INC. d/b/a PARKWAY
CHRYSLER DODGE JEEP RAM,
MICHAEL RILEY, and CHARLES
“CHUCK” R. RILEY,

Defendants.

**ORDER GRANTING PLAINTIFF’S MOTION TO COMPEL AND
EXTEND DISCOVERY AS UNOPPOSED (DE 16)**

This matter is before the Court for consideration of Plaintiff’s June 6, 2018 motion to compel and extend discovery. (DE 16.) Plaintiff served Defendants with Plaintiff’s First Discovery Requests Directed to Defendants on February 16, 2018 and, as of the filing of the motion, Defendants had not yet answered those requests. Plaintiff asks the Court to: (1) order Defendants to provide responses to the interrogatories and produce documents responsive to the requests with no objections; (2) extend the discovery deadline; and (3) award Plaintiff costs and attorney’s fees associated with the filing of the motion. This matter was referred to

me on June 20, 2018. (DE 18.) To date, Defendants have not filed a response in opposition to Plaintiff's motion.

Under Eastern District of Michigan Local Rule 7.1(e)(2)(b), Defendants' response in opposition was due fourteen days after the motion was served, or June 20, 2018. To date, no response has been filed. Accordingly, Plaintiff's motion to compel (DE 16) is **GRANTED AS UNOPPOSED** as follows:

1. Defendants shall serve written responses and produce responsive documents, without objections, to Plaintiff's First Discovery Requests Directed to Defendants by **Wednesday, July 11, 2018**;
2. All of Defendants' objections to Plaintiff's First Discovery Requests Directed to Defendants, with the exception of objections based on attorney-client privilege or the work product doctrine, are **deemed waived** for Defendants' failure to timely respond to Plaintiff's discovery requests. *See* Fed. R. Civ. P. 33(b)(4); *Lairy v. Detroit Med. Ctr.*, No. 12-11668, 2012 WL 5268706, at *1 (E.D. Mich. Oct. 23, 2012) ("As a general rule, failure to respond to discovery requests within the thirty days provided by Rules 33 and 34 constitutes a waiver of any objection.") (quoting *Carfagno v. Jackson Nat'l Life Ins.*, No. 99-118, 2001 WL 34059032, at *1 (W.D. Mich. Feb. 13, 2001)). Defendants are reminded of their obligation to provide a privilege log describing any documents withheld as privileged or work product. Fed. R. Civ. P. 26(b)(5);
3. The discovery deadline is extended to **August 15, 2018**; and
4. Plaintiff is awarded her reasonable costs and attorney's fees associated with the preparation of this motion, pursuant to Fed. R. Civ. P. 37(a)(5), and shall submit an itemized bill of costs for the Court's consideration via ECF on or before **July 2, 2018** in support thereof; thereafter, any specific objections to the amount of fees or costs being sought must be filed by Defendants on or before **July 6, 2018**.

IT IS SO ORDERED.

Dated: June 27, 2018

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on June 27, 2018, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti